**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

5  Applicant(s):   Jen-Chau Wu et al.

Serial No.:    10/791,709                    Filing Date:  03/04/2004

Examiner:     PHAM, LONG                Art Unit:    2814

Docket No.:   UECP0012USA

10  Title:    ESD PROTECTION CONFIGURATION AND METHOD FOR LIGHT
EMITTING DIODES

To:        Mail Stop 16

Commissioner for Patents

15                P.O. Box 1450

Alexandria VA 22313-1450

Subject:  Status Inquiry of the Request for Refund filed on September 22, 2006
20

Dear Sir,

A request to refund the erroneous deduction of US$230 on 04/18/2006 was
25  submitted on 09/22/2006 and an official receipt was issued from the USPTO on
10/04/2006 (Attachment 1). However, the amount of US$230 has not been refunded to
the undersigned agent's Deposit Account No. 50-3105 so far.

The subject application was filed on 03/04/2004 with total 23 claims and 4
30  independent claims, and the excess claim fees were paid by the former agent.

The application was later transferred to the undersigned agent's office. A

response to the Restriction Requirement was filed on 08/11/2005, and the number of claims was unchanged (total <u>23</u> claims and <u>4</u> independent claims).

5       An amendment was filed on 12/22/2005 with total <u>22</u> claims and <u>5</u> independent claims and the excess independent claim fee US$200 was deducted from the Deposit Account No. 503105 on 12/27/2005.

```
12/27 107  10791709  UECP0012USA              1201       $200.00    $47,304.00
```

10       Another amendment was filed 01/23/2006 with total <u>22</u> claims and <u>5</u> independent claims. No excess claim fee was required for this amendment, and the application was allowed on 04/06/2006. However, it was found that the USPTO erroneously deducted the extra claim fee US$230 on 04/18/2006

```
04/18 23  10791709  3232-10        1201       $80.00    $35,922.00
04/18 25  10791709  3232-10        1202       $150.00   $35,772.00
```

15       A table of the correct claim numbers for each amendment and the relevant fee worksheets (Attachment 2) are provided for your reference.

| Date | New Filing 03/04/2004 | Amendment 08/11/2005 | Amendment 12/22/2005 | Amendment 01/23/2006 |
|---|---|---|---|---|
| Total claims | 23 | 23 | 22 | 22 |
| Independent claims | 4 | 4 | 5 | 5 |

20       In conclusion, the deduction of the extra claim fee US$230 on 04/18/2006 is an office mistake and should be refunded to the Deposit Account No. 50-3105 pursuant to 37 CFR 1.26. Your response in this matter will be greatly appreciated.

Sincerely yours,

     /Winston Hsu/            Date:         07/21/2010

Winston Hsu, Patent Agent No. 41,526

5    P.O. BOX 506, Merrifield, VA 22116, U.S.A.

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Facsimile: 806-498-6673

e-mail: winstonhsu@naipo.com


10   Note: Please leave a message in my voice mail if you need to talk to me. (The time in D.C. is 12 hours behind the Taiwan time, i.e. 9 AM in D.C. = 9 PM in Taiwan.)

### UNITED STATES PATENT AND TRADEMARK OFFICE

October 4, 2006

NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION
P.O. BOX 506
MERRIFIELD, VA 22116
US

Dear Sir/Madam,

This is to acknowledge receipt of your refund request for 10791709 in the amount of $230.00.

Your request has been forwarded to the Technical Center Others for review and processing.

To inquire about the status of your refund request, please call 703 308-9010 x177.

Thank you,

Technical Center Others

# PATENT APPLICATION FEE DETERMINATION RECORD
### Effective October 1, 2003

**Application or Docket Number** *10791709*

## CLAIMS AS FILED - PART I

| | (Column 1) | (Column 2) |
|---|---|---|
| TOTAL CLAIMS | *23* | |
| FOR | NUMBER FILED | NUMBER EXTRA |
| TOTAL CHARGEABLE CLAIMS | *23* minus 20= | * *3* |
| INDEPENDENT CLAIMS | *4* minus 3 = | * *1* |
| MULTIPLE DEPENDENT CLAIM PRESENT | | ☐ |

| SMALL ENTITY TYPE ☐ | | OR | OTHER THAN SMALL ENTITY | |
|---|---|---|---|---|
| RATE | FEE | | RATE | FEE |
| BASIC FEE | 385.00 | OR | BASIC FEE | 770.00 |
| X$ 9= | | OR | X$18= | *54.00* |
| X43= | | OR | X86= | *86.00* |
| +145= | | OR | +290= | |
| TOTAL | | OR | TOTAL | *455.00* |

\* If the difference in column 1 is less than zero, enter "0" in column 2

## CLAIMS AS AMENDED - PART II

### AMENDMENT A

| | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA |
|---|---|---|---|---|
| Total | * | Minus | ** | = |
| Independent | * | Minus | *** | = |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | | ☐ |

| SMALL ENTITY | | OR | OTHER THAN SMALL ENTITY | |
|---|---|---|---|---|
| RATE | ADDITIONAL FEE | | RATE | ADDITIONAL FEE |
| X$ 9= | | OR | X$18= | |
| X43= | | OR | X86= | |
| +145= | | OR | +290= | |
| TOTAL ADDIT. FEE | | OR | TOTAL ADDIT. FEE | |

### AMENDMENT B

| | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA |
|---|---|---|---|---|
| Total | * | Minus | ** | = |
| Independent | * | Minus | *** | = |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | | ☐ |

| RATE | ADDITIONAL FEE | | RATE | ADDITIONAL FEE |
|---|---|---|---|---|
| X$ 9= | | OR | X$18= | |
| X43= | | OR | X86= | |
| +145= | | OR | +290= | |
| TOTAL ADDIT. FEE | | OR | TOTAL ADDIT. FEE | |

### AMENDMENT C

| | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA |
|---|---|---|---|---|
| Total | * | Minus | ** | = |
| Independent | * | Minus | *** | = |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | | ☐ |

| RATE | ADDITIONAL FEE | | RATE | ADDITIONAL FEE |
|---|---|---|---|---|
| X$ 9= | | OR | X$18= | |
| X43= | | OR | X86= | |
| +145= | | OR | +290= | |
| TOTAL ADDIT. FEE | | OR | TOTAL ADDIT. FEE | |

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
\*\*\*If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

FORM PTO-875 (Rev. 10/03)    Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

PTO/SB/06 (12-04)
Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# PATENT APPLICATION FEE DETERMINATION RECORD
## Substitute for Form PTO-875

Application or Docket Number: 10/791709

## APPLICATION AS FILED – PART I

| FOR | (Column 1) NUMBER FILED | (Column 2) NUMBER EXTRA | SMALL ENTITY RATE ($) | FEE ($) | OR | OTHER THAN SMALL ENTITY RATE ($) | FEE ($) |
|---|---|---|---|---|---|---|---|
| BASIC FEE (37 CFR 1.16(a), (b), or (c)) | | | | | | | |
| SEARCH FEE (37 CFR 1.16(k), (l), or (m)) | | | | | | | |
| EXAMINATION FEE (37 CFR 1.16(o), (p), or (q)) | | | | | | | |
| TOTAL CLAIMS (37 CFR 1.16(i)) | minus 20 = | * | X = | | OR | X = | |
| INDEPENDENT CLAIMS (37 CFR 1.16(h)) | minus 3 = | * | X = | | | X = | |
| APPLICATION SIZE FEE (37 CFR 1.16(s)) | If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). | | | | | | |
| MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j)) | | | | | | | |
| | | | TOTAL | | | TOTAL | |

* If the difference in column 1 is less than zero, enter "0" in column 2.

## APPLICATION AS AMENDED – PART II

### AMENDMENT A  8-11-05

| | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA | SMALL ENTITY RATE ($) | ADDI-TIONAL FEE ($) | OR | OTHER THAN SMALL ENTITY RATE ($) | ADDI-TIONAL FEE ($) |
|---|---|---|---|---|---|---|---|---|
| Total (37 CFR 1.16(i)) | 23 | Minus 23 | = | x 25 = | | OR | x 50 = | |
| Independent (37 CFR 1.16(h)) | 4 | Minus 4 | = | x 100 = | | OR | x 200 = | |
| Application Size Fee (37 CFR 1.16(s)) | | | | | | | | |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) | | | | 180 | | OR | 360 | |
| | | | | TOTAL ADD'L FEE | | OR | TOTAL ADD'L FEE | |

### AMENDMENT B

| | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA | SMALL ENTITY RATE ($) | ADDI-TIONAL FEE ($) | OR | OTHER THAN SMALL ENTITY RATE ($) | ADDI-TIONAL FEE ($) |
|---|---|---|---|---|---|---|---|---|
| Total (37 CFR 1.16(i)) | * | Minus ** | = | x 25 = | | OR | x 50 = | |
| Independent (37 CFR 1.16(h)) | * | Minus *** | = | x 100 = | | OR | x 200 = | |
| Application Size Fee (37 CFR 1.16(s)) | | | | | | | | |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) | | | | 180 | | OR | 360 | |
| | | | | TOTAL ADD'L FEE | | OR | TOTAL ADD'L FEE | |

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

# PATENT APPLICATION FEE DETERMINATION RECORD
## Substitute for Form PTO-875

**Application or Docket Number:** 10/791709

## CLAIMS AS FILED – PART I

| FOR | (Column 1) NUMBER FILED | (Column 2) NUMBER EXTRA | SMALL ENTITY RATE | SMALL ENTITY FEE | OR | OTHER THAN SMALL ENTITY RATE | OTHER THAN SMALL ENTITY FEE |
|---|---|---|---|---|---|---|---|
| BASIC FEE (37 CFR 1.16(a)) | | | | $____ | OR | | $____ |
| TOTAL CLAIMS (37 CFR 1.16(c)) | minus 20 = | * | X $____ = | | OR | X $____ = | |
| INDEPENDENT CLAIMS (37 CFR 1.16(b)) | minus 3 = | * | X $____ = | | OR | X $____ = | |
| MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d)) | | | + $____ = | | OR | + $____ = | |
| * If the difference in column 1 is less than zero, enter "0" in column 2. | | | TOTAL | | OR | TOTAL | |

## CLAIMS AS AMENDED – PART II

12·22·05

### AMENDMENT A

| | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA | SMALL ENTITY RATE | ADDITIONAL FEE | OR | OTHER THAN SMALL ENTITY RATE | ADDITIONAL FEE |
|---|---|---|---|---|---|---|---|---|---|
| Total (37 CFR 1.16(c)) | * 22 | Minus | ** 23 | = | X $25 = | | OR | X $50 = | |
| Independent (37 CFR 1.16(b)) | * 5 | Minus | *** 4 | = 1 | X $100 = | | OR | X $200 = | 200 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | | | + $180 = | | OR | + $360 = | |
| | | | | | TOTAL ADD'L FEE | | OR | TOTAL ADD'L FEE | 200 |

### AMENDMENT B

| | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA | SMALL ENTITY RATE | ADDITIONAL FEE | OR | OTHER THAN SMALL ENTITY RATE | ADDITIONAL FEE |
|---|---|---|---|---|---|---|---|---|---|
| Total (37 CFR 1.16(c)) | * | Minus | ** | = | X $25 = | | OR | X $50 = | |
| Independent (37 CFR 1.16(b)) | * | Minus | *** | = | X $100 = | | OR | X $200 = | |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | | | + $180 = | | OR | + $360 = | |
| | | | | | TOTAL ADD'L FEE | | OR | TOTAL ADD'L FEE | |

### AMENDMENT C

| | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA | SMALL ENTITY RATE | ADDITIONAL FEE | OR | OTHER THAN SMALL ENTITY RATE | ADDITIONAL FEE |
|---|---|---|---|---|---|---|---|---|---|
| Total (37 CFR 1.16(c)) | * | Minus | ** | = | X $25 = | | OR | X $50 = | |
| Independent (37 CFR 1.16(b)) | * | Minus | *** | = | X $100 = | | OR | X $200 = | |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | | | + $180 = | | OR | + $360 = | |
| | | | | | TOTAL ADD'L FEE | | OR | TOTAL ADD'L FEE | |

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

| PATENT APPLICATION FEE DETERMINATION RECORD | Application or Docket Number |
|---|---|
| Substitute for Form PTO-875 | 10/791709 |

## CLAIMS AS FILED – PART I

| | (Column 1) | (Column 2) | SMALL ENTITY | | OR | OTHER THAN SMALL ENTITY | |
|---|---|---|---|---|---|---|---|
| FOR | NUMBER FILED | NUMBER EXTRA | RATE | FEE | | RATE | FEE |
| BASIC FEE (37 CFR 1.16(a)) | | | | $ | OR | | $ |
| TOTAL CLAIMS (37 CFR 1.16(c)) | minus 20 = | * | X $ = | | OR | X $ = | |
| INDEPENDENT CLAIMS (37 CFR 1.16(b)) | minus 3 = | * | X $ = | | OR | X $ = | |
| MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d)) | | | + $ = | | OR | + $ = | |
| * If the difference in column 1 is less than zero, enter "0" in column 2. | | | TOTAL | | OR | TOTAL | |

## CLAIMS AS AMENDED – PART II

**12-22-05**

| AMENDMENT A | | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA | SMALL ENTITY RATE | ADDI-TIONAL FEE | OR | OTHER THAN SMALL ENTITY RATE | ADDI-TIONAL FEE |
|---|---|---|---|---|---|---|---|---|---|---|
| | Total (37 CFR 1.16(c)) | 22 | Minus | 23 | * | X $25 = | | OR | X $50 = | |
| | Independent (37 CFR 1.16(b)) | 5 | Minus | 4 | 1 | X $100 = | | OR | X $200 = | 200 |
| | FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | | | + $180 = | | OR | + $360 = | |
| | | | | | | TOTAL ADD'L FEE | | OR | TOTAL ADD'L FEE | 200 |

**1-23-06**

| AMENDMENT B | | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA | SMALL ENTITY RATE | ADDI-TIONAL FEE | OR | OTHER THAN SMALL ENTITY RATE | ADDI-TIONAL FEE |
|---|---|---|---|---|---|---|---|---|---|---|
| | Total (37 CFR 1.16(c)) | 23 | Minus | 23 | * | X $25 = | | OR | X $50 = | |
| | Independent (37 CFR 1.16(b)) | 5 | Minus | 5 | = | X $100 = | | OR | X $200 = | |
| | FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | | | + $180 = | | OR | + $360 = | |
| | | | | | | TOTAL ADD'L FEE | | OR | TOTAL ADD'L FEE | |

| AMENDMENT C | | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA | SMALL ENTITY RATE | ADDI-TIONAL FEE | OR | OTHER THAN SMALL ENTITY RATE | ADDI-TIONAL FEE |
|---|---|---|---|---|---|---|---|---|---|---|
| | Total (37 CFR 1.16(c)) | * | Minus | ** | = | X $25 = | | OR | X $50 = | |
| | Independent (37 CFR 1.16(b)) | * | Minus | *** | = | X $100 = | | OR | X $200 = | |
| | FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | | | + $180 = | | OR | + $360 = | |
| | | | | | | TOTAL ADD'L FEE | | OR | TOTAL ADD'L FEE | |

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.